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STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

SUITE 600

1100 NEW YORK AVENUE, N.W.

WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

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* ROBERT GREENE STERNE
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GRANT E. REED**
VICTOR E. JOHNSON**
SERGE SIRA**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

WRITER'S DIRECT NUMBER:

(202) 371-2627
INTERNET ADDRESS:

kmorley@skgf.com

July 13, 1998



Assistant Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Patent Application
Appl. No. 09/017,715; Filed: February 3, 1998
For: **Breast Cancer Specific Gene 1**
Inventors: *Ji et al.*
Our Ref: 1488.0810003

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 12, 1998, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (PTO/SB/17);

07/21/1998 MPEOPLE 00000026 09017715
2. Petition for Extension of Time under 37 C.F.R. § 1.136 (in duplicate);

01 FC:101 790.00 OP
02 FC:102 320.00 OP
03 FC:105 130.00 OP
3. Copy of Notice to File Missing Parts;

4. Original Declaration, executed by the inventors;

5. An original executed Power of Attorney from Assignee;

Assistant Commissioner for Patents
July 13, 1998
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6. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;
7. Information Disclosure Statement;
8. Form PTO-1449 (9 sheets);
9. 27 Documents (AR1-AT9);
10. Return postcard; and
11. Our Check No. 22288 for \$1,648.00 to cover:

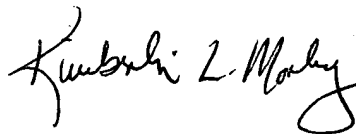
\$790.00	Filing Fee for Patent Application (37 C.F.R. § 1.16)
\$328.00	Fee for excess claims (37 C.F.R. § 1.16)
\$130.00	Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$400.00	For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

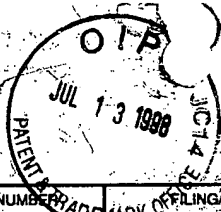
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kimberlin L. Morley
Attorney for Applicants
Registration No. 35,391

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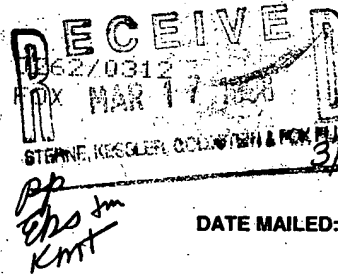
UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/017,715 02/03/98 JI-

H 1488.081000

STERNE KESSLER GOLDSTEIN & FOX
1100 NEW YORK AVE NW
SUITE 600
WASHINGTON DC 20005-3934



NOT ASSIGNED

DATE MAILED:

1642

03/12/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 1248

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required:

\$ 328 for 4 independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202